

1 HONORABLE RICHARD A. JONES
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 ROXIE JONES,
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12 Plaintiff,

13 v.

14 STEPHEN SINCLAIR, et al.,
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16 Defendants.

17 CASE NO. C14-1241RAJ-MAT

18 ORDER

19 This matter comes before the court on Plaintiff's motion for reconsideration. Dkt.
20 # 10. The court DENIES the motion.

21 On August 14, 2014, the court issued an order, which the Honorable Mary Alice
22 Theiler, United States Magistrate Judge, had recommended for entry. That order
23 declined to impose an ex parte temporary restraining order, and instead renoted Plaintiff's
24 motion as a motion for a preliminary injunction. That motion will be ripe on September
25 26.

26 A motion for reconsideration must demonstrate either "manifest error in the prior
27 ruling" or "new facts or legal authority [that] could not have been brought to [the court's]
28 attention earlier with reasonable diligence." Local Rules W.D. Wash. LCR 7(h)(1).
Plaintiff's motion meets neither standard, and the court accordingly denies it. Balancing
all factors, including Plaintiff's decision not to seek relief from the court until just days
before Defendants began enforcing the policy he challenges, the court finds that the

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1 schedule Judge Theiler has imposed for considering Plaintiff's request for injunctive
2 relief is adequate.

3 The court notes, moreover, that the order ensured that Plaintiff himself would not
4 suffer irreparable harm before Judge Theiler considers the motion for an injunction.
5 Plaintiff insists that other inmates will suffer irreparable harm, but he has presented no
6 evidence to support that assertion. The court will not award relief on behalf of other
7 inmates at this time.

8 Finally, the court notes that Plaintiff refers repeatedly to a motion for certification
9 of a class. Plaintiff did not file a motion for class certification. He included a request for
10 certification at the conclusion of his complaint. If he wishes to file a class certification
11 motion, he may do so. Alternatively, Judge Theiler may consider his brief request for
12 certification at the conclusion of his complaint as a motion for class certification. In any
13 event, initial consideration of class certification is a matter for Judge Theiler, who is
14 responsible for initial consideration of motions in this action, in accordance with
15 Amended General Order 03-12, dated September 12, 2012.

16 DATED this 27th day of August, 2014.

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The Honorable Richard A. Jones
United States District Court Judge

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